

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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NICK CASTALDI,

Petitioner,

- against -

THOMAS POOLE, Superintendent, Five Points  
Correctional Facility,

Respondent.

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ROSLYNN R. MAUSKOPF, United States District Judge.

A Memorandum and Order having been filed this day denying the petition for a writ of habeas corpus, denying a certificate of appealability, and directing the Clerk of Court to enter judgment accordingly and to close this case, it is

**ORDERED AND ADJUDGED** that petitioner take nothing of respondent; that the petition for a writ of habeas corpus is dismissed; that a certificate of appealability is denied; and that this case is hereby closed.

The Clerk of Court is directed to transmit a copy of this Judgment, and the accompanying Memorandum and Order, to petitioner.

SO ORDERED.

Dated: Brooklyn, New York  
February 28, 2013

*Roslynn R. Mauskopf*

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ROSLYNN R. MAUSKOPF  
United States District Judge